



Crl.R.C.No.611 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.06.2024

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THE HONOURABLE MR.JUSTICE M. DHANDAPANI

Crl.R.C.No.611 of 2022

S.Kaaveyapriya

.... Petitioner

Versus

1. Anandha Narayanan

2. Chandrasekaran

3. Permavathi

.... Respondents

Prayer: The Criminal Revision Case is filed under Section 397 and 401 of Cr.P.C. against the order dated 04.02.2022 passed by the learned Judicial Magistrate Additional Mahila Court @ Magisterial Level, Salem, in C.M.P.No.65 of 2022 and prayed to set aside the same in respect of holding that no offence under Section 294(b), 341, 406, 420 of Indian Penal Code and Section 4 of Dowry Prohibition Act and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act.



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For Petitioner : Mr.L.Mouli
For Respondents : Mr.J.Ramakrishnan

ORDER

The present Criminal Revision Case has been filed against the order dated 04.02.2022 passed by the learned Judicial Magistrate Additional Mahila Court @ Magisterial Level, Salem, in C.M.P.No.65 of 2022 and prayed to set aside the same in respect of holding that no offence under Section 294(b), 341, 406, 420 of Indian Penal Code and Section 4 of Dowry Prohibition Act and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act.

2. The case of the petitioner is that the petitioner is the wife and the first respondent is the husband and the second and the third respondents are in-laws and she made a complainant before the Inspector of Police, All Women Police Station, Salem Town, for the offences under Sections 294(b), 341, 406, 420 of Indian Penal Code and Section 4 of Dowry Prohibition Act



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and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act.

However, the complaint has not been processed by the Law Enforcing Agency and thereby, the petitioner filed a complaint in C.M.P.No.65 of 2022 under Section 156 of Cr.P.C. on the file of the Judicial Magistrate Additional Mahila Court @ Magisterial Level, Salem, and the trial Court issued a direction forwarding the complaint to the Law Enforcement Agency only in respect of 498(A) of IPC. However, the trial Court has not ordered for investigation for the offences under Section 406, 294(b), 420 and 341 of IPC. On the sole ground only, the present petition has been filed.

3. The learned counsel appearing for the petitioner submitted that subsequent to the direction issued by the trial Court, the Law Enforcement Agency registered a complaint in Crime No.17 of 2022 for the offence under Section 498 of IPC and if the charge sheet is filed for the offence, liberty may be given to the petitioner to canvass all those points either before the Law Enforcement Agency at the time of filing the charge sheet or before the trial Court.



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4. The learned counsel for the respondents also accepts the submission made by the learned counsel for the petitioner.

5. In view of the above, this Criminal Revision Case is dismissed with liberty to the petitioner to work out his remedy either before the Law Enforcement Agency at the time of filing the charge sheet or before the trial Court in manner known to law.

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To

1. Judicial Magistrate Additional Mahila Court
@ Magisterial Level, Salem.
2. The Inspector of Police,
All Women Police Station, Salem Town.
3. The Public Prosecutor,
High Court of Madras.



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M. DHANDAPANI, J.

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